

REMARKS

Claims 5-9 and 11-14 are pending.

Claim Rejections Under 35 U.S.C. §102

Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art (discussed in the Background of the Invention).

The Examiner states that "The applicant's APA discloses the structure of the MMC is a conventional standard memory card. The MMC card has a contact structure compatible with a conventional all-in-one card reader which includes a SD/MMC receptacle. The convention[al] MMC card is insertable and fitted into the SD/MMC receptacle and therefore it is compatible with the SD/MMC receptacle." Office action at page 2.

Claim 14 recites, in pertinent part, "a card body with a contact structure compatible with both MMC card receptacles and SD card receptacles."

The present application has a priority date of June 24, 1999. It is respectfully submitted that the undocumented "conventional all-in-one card reader" upon which the Examiner relies is not prior art to the present application. It appears as if the Examiner is relying upon currently available card readers, and not anything available before June 24, 1999. The Examiner is respectfully requested to provide some documentation evidencing the functionality and availability of such a thing before June 24, 1999.

It is respectfully noted that the SD card was not commercially available as of June 24, 1999, and thus any "conventional all-in-one card reader" available prior to that would not encompass or work with an SD card.

Further, it is asserted that nothing in the background that describes the MMC card anticipates claim 14, alone or in combination with the undocumented "conventional all-in-one card reader" discussed by the Examiner.

Thus it is submitted that claim 14 is not anticipated by the admitted prior art and is in condition for allowance.

Claim Rejections Under 35 U.S.C. §103

Claims 5-9, and 11-14 are rejected under 35 U.S.C.(a) as being unpatentable over Applicant's Admitted Prior Art (discussed in the Background of the Invention) in view of Brisson (France 88 02353).

The Examiner asserts that "the Applicant's APA discloses the structure of the MMC card and the SD are conventional standard memory card." Office action at page 3.

Contrary to the Examiner's assertion, the SD card is not discussed in the background. The assertion that the SD card is in any way admitted to be prior art in the present application is highly objectionable and hereby contested. In addition to not being admitted prior art, as mentioned above, the priority date of the present application is June 24, 1999, which is before the SD card was available or development was publicly announced. Thus, the SD card is simply not prior art, admitted or otherwise. Any admission of prior art therefore must be limited to the MMC card.

The Examiner admits that "Applicant's APA does not disclose the standard MMC card having [an] additional terminals in the same body of the MMC card so as it can also be functioned as an SD card," and thereafter relies on Brisson to fill in the gap, stating that "it would have been obvious to one having ordinary skill in the art at the time the invention was made to integrate the MMC and SD card into one by providing an additional terminals in the standard MMC card, as taught by Brisson for reducing [the] number of separate cards." However, it is respectfully asserted that Brisson teaches nothing of the sort.

Although each of the claims speaks for itself, claims 5-9, and 11-14 were rejected upon generally, without referring to any specific claim, upon the same basis.

Using claim 9 as an example therefore, Brisson, in combination with the MMC card, does not teach the limitations of claim 9, reproduced below.

9. (Previously Presented) A memory card comprising:

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means for contacting the memory card in order to transfer signals between the memory card and an electronic device,

said means for contacting configured to make contact with a first device compatible for use with a first memory card having a first structural format,

said means for contacting configured to make contact with a second device compatible for use with a second memory card having a second structural format,

said first structural format being different than said second structural format.

Brisson has two apparently identical contact structures, not two different (first and second) structural formats of means for contacting. In Brisson the card can be inserted at either end to access one or the other complete set of identical (smart card) contacts. If the card is inserted in a first direction a reader will access a first complete set of contacts, whereas, if the card is inserted in a second direction, a reader will access a second complete set of contacts (identical to the first set). The card has arrows marked on the surface to indicate the direction of insertion. See Brisson Abstract and figure.

Thus Brisson, alone or in combination with an MMC card, does not teach at least the claim 9 recitation of “said first structural format being different than said second structural format.”¹ This is in addition to the fact that Brisson teaches, from what can be discerned from the English abstract and figures, a smart card, not a memory card of the type disclosed and recited in the present application. Thus it is respectfully submitted that claim 9 is in condition for allowance. For similar rationale, it is also submitted that Brisson, alone or in combination with an MMC card, does not teach the limitations of the following independent claims and the claims that depend therefrom.

5. (Previously Amended) A flat rectangularly shaped memory card, comprising:
two pairs of opposing parallel straight edges forming four corners wherein one of said corners includes an angled edge segment that intersects adjacent ones of the straight edges at acute angles;

a first group of rectangularly shaped recesses formed in a row extending along one of said adjacent straight edges, said group containing electrical contacts at the bottom of the recesses, said group compatible with a first type of memory card receptacle; and

a second group of one or more recesses containing one or more electrical contacts,

¹ Please note that in certain embodiments of the SD card, the thickness of the card may limit insertion of the SD card into certain MMC receptacles, despite compatibility of the contact arrangement or structure.

said first and second group of contacts together compatible with a second type of memory card receptacle.

7. (Previously Amended) A flat memory card having a rectangular shape with a cut-off corner forming an angled edge segment between two card edges and having a plurality of rectangularly shaped recesses formed in a row along one of the two card edges and opening to said one of the two card edges with electrical contacts on bottom surfaces thereof, wherein said electrical contacts are positioned in a pattern according to a multi-media card (MMC) standard, a single electrical contact being included in each of said recesses, and an additional recess having a contact therein is provided.

8. (Previously Amended) A flat rectangularly shaped memory card comprising:
a card body with a contact structure compatible for use in a first electronic device designed to utilize a first number of contacts of the contact structure,
said contact structure compatible for use in a second electronic device designed to use a second number of contacts of the contact structure wherein the first number is different than the second number,
said contact structure allowing said memory card to be used with the second electronic device.

9. (Previously Presented) A memory card comprising:
means for contacting the memory card in order to transfer signals between the memory card and an electronic device,
said means for contacting configured to make contact with a first device compatible for use with a first memory card having a first structural format,
said means for contacting configured to make contact with a second device compatible for use with a second memory card having a second structural format,
said first structural format being different than said second structural format.

11. (Previously Presented) A memory card comprising a contact structure compatible with both a first card format and a second card format, said first card format requiring a first number of contacts and said second card format requiring a second number of contacts differing from the first number of contacts.

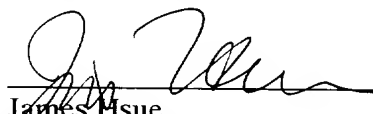
14. (Previously Presented) A flat rectangularly shaped memory card of a type used for storing digital pictures, comprising:
a card body with a contact structure compatible with both MMC card receptacles and SD card receptacles.

Therefore, it is respectfully asserted that claims 5-9, and 11-14 are non obvious and in condition for allowance.

Conclusion

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned attorney at 415-318-1162 would be appreciated.

Respectfully submitted,



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